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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,296	08/09/2001	Yasuo Takahashi	OOCL-65 (US-P1496)	2674

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EXAMINER
TRAN, LY T

ART UNIT	PAPER NUMBER
2853	

DATE MAILED: 05/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/925,296	TAKAHASHI, YASUO	
	Examiner	Art Unit	
	Ly T TRAN	2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Objections

1. Claim 8 is objected to because of the following informalities: parenthesis in claim must be cancel. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2-11, 13-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Horigome et al. (USPN 5,631,677).

With respect to claims 1 and 11, Horigome et al discloses a printer comprising:

- A printing section for performing printing on paper (Column 5: line 32-35)
- A paper feed section for transferring paper, which is fed from a paper feed cassette, to said printing section (Column 5: line 40)
- A battery power source, a remaining-battery-capacity detector for detecting a remaining-battery-capacity level of said battery power source (Column 8: line 5-7)

- A print-operation-commencement specifying section for specifying print-operation commencement; and control section for performing print-operation control (Column 6: line 32-35),
- Control section performs the print-operation control such that the remaining-battery-capacity detector is used to detect the remaining battery capacity level immediately before a paper-feed operation is commenced for the first sheet of the paper for a print operation which is commenced corresponding to a print-operation commencement specification received from the print-operation commencement specifying section; and the control section performs the print-operation control such that when printing is consecutively performed on a plurality of sheets of the paper corresponding to print-operation commencement specification, the remaining-battery-capacity detector is used to detect the remaining battery capacity level immediately before the paper-feed operation is performed for the print operation for each of the plurality of sheets of the paper. (Column 6: line 36-53).

With respect to claims 3- 4 and 13-14, Horigome et al. discloses a determination section for determining whether a paper-transfer operation and the print operation to be performed subsequent to the detecting operation for the remaining battery capacity level can be completed for at least one sheet of the paper according to the remaining battery capacity level detected by said remaining-battery-capacity detector and determination section determines the remaining battery capacity level detected by said remaining-

battery-capacity detector to be insufficient to complete the paper-transfer operation and the print operation, which are performed subsequent to the detecting operation for the remaining battery capacity level, for at least one sheet of the paper, control is performed not to commence the paper-transfer operation (Column 11: line 65-67, Column 12: line 1-5).

With respect to claims 5 and 15, Horigome et al. discloses determination section determines the remaining battery capacity level detected by said remaining-battery-capacity detector to be insufficient to complete the paper-transfer operation and the print operation, which are performed subsequent to the detecting operation for the remaining battery capacity level, for at least one sheet of the paper, a display unit displays information indicating that the remaining battery capacity is short (Column 12: line 2-5, line 65-67).

With respect to claims 6-8 and 16-18, Horigome et al discloses plurality of sheets of the paper corresponding to a specification received from said print-operation commencement specifying section, the determination section determines whether the transfer operations and the print operations can be completed all for the specified plurality of sheets of the paper according to the remaining battery capacity level detected by the remaining-battery-capacity detector, determination section determines the remaining battery capacity level detected by the remaining-battery-capacity detector to be sufficient only to complete the paper-transfer operations and the print operations for partial number of sheets of the paper in the paper-transfer operations and the print operations for the specified plurality of sheets of the paper, the display unit displays

information indicating that printing can be performed only for the partial number of sheets of the paper and display unit displays a number of printable sheets of the paper for the information indicating that printing can be performed only for the partial number of sheets of the paper (Column 12: line 1-28)

With respect to claims 9 and 19, Horigome discloses the remaining-battery-capacity detector detects the remaining battery capacity level also when the printer is powered on (Column 6: line 36-38 discloses detecting the battery at all time therefore the battery is detected when the power is on).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 2 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horigome et al. (USPN 5,631,677) in view of Arakawa et al. (USPN 6,067,101).

Horigome et al. fails to teach a battery power source that is connected to a main unit of the printer to be removable.

Arakawa et al. teaches a battery power source that is connected to a main unit of the printer to be removable (Column 18: line 31-38).

It would have been obvious to one having ordinary skill in the art at the time the invention was made with a battery power source that is connected to a main unit of the printer to be removable as taught by Arakawa et al. The motivation of doing so is in order to replace the battery when necessary.

4. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horigome et al. (USPN 5,631,677) in view of Shimoda (USPN 6,247,777).

Horigome et al teaches detection operation for the remaining battery capacity level, can be completed for at least one sheet of the paper (Column 12: line 1-5).

However, Horigome et al. fails to teach detect the temperature in a peripheral environment of the battery power source, wherein a determination criterion used in the determination section is changed according to the detection result of the temperature detector, the determination criterion being used to determine whether the paper-transfer operation and the print operation.

Shimoda teaches detect the temperature in a peripheral environment of the battery power source, wherein a determination criterion used in the determination section is changed according to the detection result of the temperature detector, the determination criterion being used to determine whether the paper-transfer operation and the print operation (Column 4: line 34-43).

It would have been obvious to one having ordinary skill in the art at the time the invention was made with detect the temperature as taught by Shimoda. The motivation

of doing so is in order to keep the user from dangerous temperature (Shimoda USPN 6,247,777, Column 3: line 10-14).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ly T TRAN whose telephone number is 703-308-0752. The examiner can normally be reached on M-F (7:30am-5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 703-308-3126. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0967.

lt

May 13, 2002

John Barlow
Supervisory Patent Examiner
Technology Center 2800